

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE VASO ACTIVE PHARMACEUTICALS
SECURITIES LITIGATION

Civil Action No. 04-10708-RCL

MOTION TO ADMIT RICHARD A. SPIERS PRO HAC VICE

Pursuant to Local Rule 83.5.3, the undersigned counsel, N. Nancy Ghabai, hereby moves that this Court enter an Order granting leave to Richard A. Speirs, Zwerling, Schachter & Zwerling, LLP to appear on behalf of plaintiff Ira A. Turret Sep – Ira Dated 01/24/02 and proposed lead plaintiff David B. Brody and practice before this Court in the above-captioned consolidation action.

As grounds for this motion, the undersigned represents the following:

1. Mr. Speirs is admitted to the bar of the State of New York (1986), the United States District Court of the Southern District of New York (1987), the United States District Court for the Eastern District of New York (1987) and the United States Court of Appeals for the Tenth Circuit (1997).
2. He is a member of the bar in good standing in every jurisdiction where he has been admitted to practice.
3. There are no disciplinary proceedings pending against Mr. Speirs as a member of the bar in any jurisdiction.
4. Mr. Speirs has represented to the undersigned counsel that he is familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. In further support of this motion, Mr. Speirs has submitted herewith his Certification for Admission Pro Hac Vice as required by Local Rule 83.5.3. *See* Exhibit A.

WHEREFORE, the undersigned counsel respectfully moves that Mr. Speirs be admitted to practice before this Court *pro hac vice*.

Dated: June 8, 2004

Respectfully submitted,

**BERMAN DEVALERIO PEASE
TABACCO BURT & PUCILLO**

/s/ N. Nancy Ghabai

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Proposed Liaison Counsel for the Class

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RULE 7.1 CERTIFICATION

I, N. Nancy Ghabai, Esq., certify that on June 8, 2004 I conferred with Colleen Dunham Henschke, Esq., counsel for defendants Vaso Active Pharmaceutical, Inc., John J. Masiz and Joseph Frattaroli regarding the filing of this motion. Counsel for defendants takes no position with regard to this motion.

/s/ Nancy Ghabai

N. Nancy Ghabai

EXHIBIT A

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE VASO ACTIVE PHARMACEUTICALS
SECURITIES LITIGATION

Civil Action No. 04-10708-RCL

**CERTIFICATION OF RICHARD A. SPIERS FOR ADMISSION PRO HAC VICE
PURSUANT TO LOCAL RULE 83.5.3 OF THE UNITED STATES
DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS**

Pursuant to Rule 83.5.3 of the Local Rules of the United States District Court for the District of Massachusetts, I, Richard A. Speirs, hereby certify that:

1. I am a member of the law firm of Zwerling, Schachter & Zwerling, LLP, which has offices, among others, located at 845 Third Avenue, New York, New York 10022. I was admitted to the bar of the State of New York in 1986, the United States District Court of the Southern District of New York in 1987, the United States District Court for the Eastern District of New York in 1987 and the United States Court of Appeals for the Tenth Circuit in 1997.
2. I am a member in good standing in every jurisdiction where I have been admitted to practice.
3. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
4. I am familiar with the Local Rules of the United States District Court for the District of Massachusetts.

5. My name, firm name, street address, telephone number, fax number and e-mail address are as follows:

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I hereby certify under penalty of perjury that the foregoing is true and correct.

Executed on June 8, 2004

/s/ Richard A. Spiers
Richard A. Speirs